

# EXHIBIT C

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1 UNITED STATES DISTRICT COURT  
2 SOUTHERN DISTRICT OF NEW YORK

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3 GERARD SILLAM, et al.,

4 Plaintiffs,

5 v.

21 CV 6675 (CM) (OTW)

6 LABATON SUCHAROW LLP, et al.,

7 Defendants.

8 -----x

New York, N.Y.  
November 3, 2022  
10:15 a.m.

9  
10 Before:

11 HON. ONA T. WANG,

12 Magistrate Judge

13 APPEARANCES

14 RAISER & KENNIFF

Attorneys for Plaintiff

15 BY: DOUG M. REDA

16 GANFER SHORE LEEDS & ZAUDERER LLP

17 Attorneys for Defendants

18 BY: IRA MATETSKY

19 ALSO PRESENT:

20 JAMES CHRISTIE, Labaton Sucharow LLP

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1 (Case called)

2 MR. REDA: Douglas Reda, for the plaintiff, from  
3 Raiser & Kenniff, 300 Old Country Road, Mineola, New York.

4 Good morning, your Honor.

5 THE COURT: Good morning.

6 MR. MATETSKY: Good morning, your Honor. Ira  
7 Matetsky, from Ganfer Shore, for the defendants, Labaton  
8 Sucharow LLP, and with me is James Christie, the assistant  
9 general counsel of Labaton.

10 THE COURT: Great. Good morning.

11 We are here because, number one, I haven't seen you in  
12 a while; number two, I think you had asked for -- may have  
13 asked for a somewhat extended discovery deadline, but there are  
14 two, as I understand it, outstanding discovery disputes.

15 I'm not hearing oral argument, because I've read your  
16 letter, but does somebody want to tell me the status of those  
17 disputes? Are they both still live? Has anything gotten  
18 resolved or gotten closer to resolution?

19 MR. REDA: Well, Judge, if I may?

20 THE COURT: Yes, go ahead.

21 MR. REDA: Do you want me to stand?

22 THE COURT: You don't need to. It might be easier to  
23 speak into the microphone that way.

24 MR. REDA: The discovery deadline was extended by  
25 Judge McMahon, so that's not an issue. She extended it, just

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1 recently, to the end of February, I believe, and then the two  
2 issues that we asked for you to intervene on are still open.  
3 One is where the depositions will take place, and also the  
4 confidentiality agreements. We have not made, I don't think,  
5 any headway on that.

6 MR. MATETSKY: I would agree with that, your Honor.  
7 Good morning.

8 I thank you for welcoming us. I don't think we've  
9 actually been in front of you before.

10 THE COURT: No, that's the other reason I wanted to  
11 see you. Now that we're doing more things in person, sometimes  
12 it's much more efficient to see each other in person, actually  
13 be face to face. It's a lot easier to take tough positions and  
14 not have a fulsome back-and-forth when you're doing it behind a  
15 screen or through a telephone. So, that was part of the reason  
16 why.

17 MR. MATETSKY: I agree with that, your Honor.

18 We haven't even before your Honor virtually in this  
19 case before. This case is assigned to Judge McMahon, who,  
20 typically, only sends the referral to the magistrate judge when  
21 a dispute arises, and we have actually been able to work out,  
22 through the meet-and-confer process, many issues that we're not  
23 going to burden your Honor with.

24 As Mr. Reda said, there are two open issues that are  
25 kind of blocking us with proceeding with the discovery, which

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1 now needs to be completed, by Judge McMahon's order, by  
2 February 28. One is that we sought the entry of what we  
3 thought was a completely routine confidentiality stipulation in  
4 this case. We followed your Honor's recommended form from the  
5 Court's website literally verbatim with an addendum at the end  
6 required by Judge McMahon's individual rules. And we don't see  
7 why that order should not be entered in this case, as it is in  
8 any other case.

9 I won't go on because the Court said you don't want  
10 oral argument, but if you want two more minutes, I can give you  
11 that.

12 THE COURT: What I'm hearing from plaintiffs is that  
13 plaintiffs don't believe that a protective order is necessary.

14 Why is that?

15 MR. REDA: Judge, first, because the judge's rules  
16 prevent --

17 THE COURT: When you say "the judge's rules," you mean  
18 my rules or Judge McMahon's?

19 MR. REDA: No, no, Judge McMahon's rules kind of  
20 frowned on that.

21 But, also, we have offered a limited resolution of  
22 this, that everything, of course, would be nonpublished and not  
23 to be disbursed, and anything that has to do with nonparty  
24 personal information -- bank accounts, Social Security numbers --  
25 would be redacted.

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1 THE COURT: That's in my individual practices anyway.  
2 You don't need a motion to seal, you don't need a protective  
3 order. You should automatically be redacting PII.

4 What I want to know is what's the issue regarding a  
5 protective order, generally, which I generally don't have a  
6 problem with. That's different from a sealing order, okay? I  
7 want to make sure that we are actually talking about the same  
8 thing here.

9 I'm not talking about a sealing order where there  
10 needs to be a higher standard met and a higher burden met to  
11 seal and redact documents that are exchanged. I'm talking  
12 about a protective order that just governs the exchange of  
13 information, the exchange of documents, so you don't have each  
14 other potentially or somebody else potentially publishing  
15 documents outside of this proceeding.

16 So, I want to understand – are you having a problem  
17 with sealing, which is not the issue here, or are you having a  
18 problem with a protective order?

19 MR. REDA: Well, I guess I have a problem with the way  
20 they worded the protective order, that they said if there's a  
21 dispute, every time that we can't agree on whether something is  
22 confidential or not, we've got to come to you. To me, that's a  
23 waste of time.

24 THE COURT: You've got to come to me if there's a  
25 dispute that you can't resolve among yourselves.

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1 MR. REDA: Right.

2 And it appears that we already can't resolve even the  
3 protective order parts. I anticipate every time they decide  
4 something is confidential and subject to the order, and we  
5 don't agree, we're going to be coming here. I think that our  
6 position that we will agree, of course, not to publish anything  
7 to anybody, and --

8 THE COURT: That's the protective order, though. So  
9 what is the dispute? I don't understand.

10 MR. REDA: Well, my understanding is that they want  
11 more than that. If all we're talking about is that we won't  
12 publish anything to anybody else, and we can redact the --

13 THE COURT: You want to point me to a particular -- is  
14 there a draft or proposed protective order that's on the  
15 docket? Why don't you point me to the specific language that  
16 you take issue with.

17 MR. MATETSKY: What we've used is your Honor's  
18 verbatim form.

19 THE COURT: Do you want to point me to particular  
20 language, Mr. Reda, that you believe is not warranted or  
21 unsupported?

22 MR. REDA: I apologize, your Honor, I don't have that  
23 document in front of me.

24 THE COURT: Well, we're here for two discovery-related  
25 disputes. This is one of them. Are you not prepared to talk

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1 about it?

2 MR. REDA: I am, Judge. I just didn't have the --

3 MR. MATETSKY: I can hand it to Mr. Reda.

4 THE COURT: Okay. Thank you.

5 (Pause)

6 THE COURT: And, Mr. Matetsky, is that -- you  
7 mentioned that your proposed protective order also has an  
8 addendum that follows Judge McMahon's individual practices. Is  
9 that anywhere on -- where is that on the docket?

10 MR. MATETSKY: We haven't filed it on the docket, but  
11 I can hand up a copy.

12 THE COURT: Okay, sure.

13 MR. MATETSKY: Judge McMahon's rules said the assigned  
14 district judge provides that she's willing to so order  
15 protective orders, but she requires there be this language in  
16 the last page. And, in essence, what it says -- and I assume  
17 your Honor would agree with this -- that by so ordering the  
18 protective order, the Court is not thereby making an  
19 independent determination as to the confidential status of  
20 documents it hasn't seen, it's facilitating the discovery  
21 process.

22 MR. REDA: My, I guess, concern, Judge, is that they  
23 will stamp everything confidential, and, therefore -- and if we  
24 don't agree with it, we're going to keep coming back here. I  
25 have no problem, as I said earlier, not disclosing this to



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1 nonparties and to redact personal information, but I'm  
2 concerned that they're going to say everything is confidential.

3 THE COURT: Right.

4 MR. REDA: It says for attorneys or experts only.  
5 Does that mean that the clients can't look at the documents,  
6 also? I was unclear about --

7 THE COURT: Yes, that's a higher level of  
8 confidentiality designation. Sometimes I get disputes about  
9 that, and we can deal with those as they come up. I will tell  
10 you that even when I was in private practice before I took the  
11 bench, often the lawyers would stamp everything confidential  
12 and then agree to dedesignate if something were to be attached  
13 to a motion, because then it ends up on the docket, and it's an  
14 attachment or an exhibit, and it is presumptively -- it ought  
15 to be dedesignated, okay?

16 So this is what I'm telling you now, is that if  
17 something like that issue or that occurrence comes up, I expect  
18 you to be able to work together and discuss whether, if it's  
19 already been designated confidential, whether it ought to be  
20 dedesignated or subject to a limited redaction. And usually  
21 the parties agree on that.

22 I would prefer, as I can tell from Judge McMahon's  
23 addendum, that she would also prefer that parties not in the  
24 first instance blanket designate everything confidential and  
25 then work together to dedesignate things that they want to

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1 attach to motions or attach as exhibits for some other reason.  
2 That said, I have practiced with ESI much more recently, and it  
3 is sometimes too burdensome, if you're dealing with a  
4 voluminous ESI production, to go document by document and make  
5 a confidentiality determination immediately, which is why I  
6 don't necessarily agree -- I don't require an addendum like  
7 Judge McMahon does, but I do expect the parties, if they intend  
8 to file documents that were produced as exhibits to motions or  
9 to use them at trial or at hearings, to then take a look at  
10 that subset and consider whether those documents should be  
11 dedesignated, and if you agree that they should be  
12 dedesignated, and they can be attached either with limited  
13 redaction of PII, which always should remain redacted, or  
14 attached in full, I am fine with that. And that does not in  
15 any way violate the protective order.

16 Does that make sense?

17 MR. REDA: Yes, Judge.

18 THE COURT: Okay.

19 Does that alleviate your concerns?

20 MR. REDA: Yes, Judge, but I just want to be sure this  
21 does not preclude, of course, us sharing all the documents with  
22 our clients.

23 THE COURT: Correct, correct.

24 Now, let me talk to you a little bit about the  
25 attorneys' eyes only designation. I'm not sure that it should

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1 apply in this case. It's in my form order in the event the  
2 parties need to use it, but I don't think that -- obviously, I  
3 haven't seen your documents, but I can't think of a situation  
4 right now where that might be necessary.

5 Where I have seen it come up, and where I think it is  
6 warranted, for example, are trade secret cases, where the  
7 attorneys may need to see certain documents from the other  
8 side, but they don't want their clients, obviously, to see that  
9 because then they're continuing to disclose -- potentially  
10 disclose new trade secrets, right? And I've also seen it in  
11 cases where there might be a law enforcement or public safety  
12 issue where you might not want the client to see the document,  
13 but it's okay for the lawyer to see them.

14 MR. REDA: So as long as the clients are still able to  
15 because these are the type of documents I would need to go over  
16 with the clients.

17 THE COURT: Of course, of course.

18 And I think that is expected with the proposed  
19 protective order.

20 MR. MATETSKY: Your Honor, if I may, we certainly  
21 don't intend to stamp every document in the case confidential,  
22 we've already produced many documents that are not designated  
23 as confidential, and when we complete our production, we will  
24 review the documents. We're not going to stamp confidential on  
25 every page just out of force of habit. That would be

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1 unnecessary.

2 I also anticipate we'd be making limited, if any, use  
3 of an attorneys' eyes only tier.

4 That being said, we do have concerns about how the  
5 plaintiffs might use the documents in this case. The  
6 plaintiffs have issued two press releases about the fact that  
7 they're in litigation with Labaton. We don't think that's  
8 necessary. We certainly are not producing documents to be used  
9 for a press campaign. The plaintiffs have brought three  
10 related proceedings in France. When there were settlement  
11 discussions before I was involved, before Mr. Reda was  
12 involved, documents were shared with plaintiffs, then counsel,  
13 for settlement purposes, those documents made their way into  
14 the filings in France, in violation of the Rule 408 privilege  
15 that we believe attached to them.

16 We are producing documents for use in this case,  
17 particularly the documents we designate as confidential, and  
18 we'd like it to be clear - either we can insert it in the  
19 protective order, but certainly we're on the record - I'd like  
20 it to be very clear that the documents we produce to Mr. Reda's  
21 office and designate confidential are being produced for use in  
22 this case. If there's a dispute as to whether a given document  
23 should be confidential, we'll certainly discuss it in good  
24 faith with Mr. Reda. If there's an issue as to that he wants  
25 to file Bates number 1234 with his next motion and doesn't

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1 think that he should have to file them under seal, we're  
2 certainly open to that discussion with coming to your Honor as  
3 the last resort if we're unable to agree to it. But we need  
4 there to be a confidentiality stip, a protective order here,  
5 and we need for the plaintiffs to take it seriously and honor  
6 it.

7 THE COURT: Okay. Mr. Reda?

8 MR. REDA: Well, there is no indication from me that  
9 I'm -- since I've been involved in the case, but that anything  
10 that was disclosed prior was subject to any confidentiality  
11 agreement. We've already agreed or said that we would  
12 nondisclosure. I can't control the fact that there are pending  
13 criminal charges against this defendant in another country -- I  
14 have no control over that -- but the clients have indicated, and  
15 I said in our arguments, that they would not be disclosed in  
16 any way. So, I don't think -- again, I don't like the for the  
17 attorneys' eyes only because this is a case that involves a lot  
18 of, I think, complex stuff.

19 THE COURT: I don't think, and the representation I  
20 hear from defendants is they don't necessarily anticipate there  
21 being attorneys' eyes only designations or that it would be  
22 used in a blanket situation.

23 That said, what I'm hearing right now, and I'm getting  
24 a little more background, and sometimes this is how it is  
25 helpful to have you all here in person, is that there is more

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1 history before, and that predates this lawsuit, that I need to  
2 be aware of. So thank you for bringing that to my attention.

3 I heard Mr. Matetsky mention that some of this  
4 happened before Mr. Reda was brought into the case. So, I  
5 understand this to be -- and based on Mr. Reda's  
6 representations here, that he is going to have to manage his  
7 clients, and we can't do that in the first instance, nor can  
8 the defendants. If there ends up being some dispute over an  
9 alleged violation of this protective order, which I will enter  
10 unless you have -- Mr. Reda, unless you have specific edits  
11 that you want to make to it, which I will enter then, that is  
12 something to be dealt with down the line, if something happens.  
13 But, in the first instance right now, I'll deal with it, we'll  
14 get the protective order entered, and then we'll hope that  
15 there isn't a violation, and if there is, we'll deal with that  
16 when the time comes.

17 MR. MATETSKY: I appreciate that, your Honor. I agree  
18 with that. We can upload this protective order in the  
19 stipulated form with Judge McMahon's addendum or not, as you  
20 direct.

21 I do just need to respond for the record, because  
22 there is a record, to the reference to criminal charges. I'm  
23 not a French lawyer, but my understanding is that any  
24 individual in France can go to some government office and fill  
25 out a form and thereby initiate a criminal proceeding. The

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1 reference to criminal charges should not in any way be  
2 understood as meaning that any French government official or  
3 prosecutor or judge or anyone other than Mr. Sillam  
4 individually and his retained lawyer have asserted that there's  
5 been any wrongdoing of any kind. That's a severely misleading  
6 presentation without that background, which has been, as I say,  
7 indicated through press releases that although not issued by  
8 Mr. Reda's office, had his name on them, and we need to be very  
9 clear about that, your Honor.

10 THE COURT: Okay.

11 MR. REDA: Just so I'm clear, that's a little  
12 disingenuous because --

13 THE COURT: Okay, stop, stop. I'm entering the  
14 protective order. If there's problems later on, we'll deal  
15 with them when they come, okay?

16 You know what my position is on this. Mr. Matetsky,  
17 thank you for sharing that with me, but I have actually  
18 litigated cases and defended cases in France. So, I understand  
19 how it works.

20 MR. MATETSKY: Okay. Does he file a protective order  
21 this afternoon?

22 THE COURT: Yes, please.

23 MR. REDA: I would just ask that the only part that  
24 may be deleted is paragraph 4, at least the expert for  
25 designation for attorneys or experts only.

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1           THE COURT: It just says that the parties need to meet  
2 and confer. You know what, you're going to meet and confer,  
3 and you're going to talk to Mr. Matetsky about whether  
4 paragraph 4 belongs in the protective order or not. I will  
5 point out again that this is the form protective order -- as  
6 represented by Mr. Matetsky, this is the form protective order  
7 that is on my website, which means that it has gone through  
8 many levels of review. I will tell you that hundreds of  
9 parties have entered that protective order and not had any  
10 problem with it. They've not felt a need to strike out any of  
11 the paragraphs.

12           Also, in my individual practices, which you should  
13 make yourselves aware of, is the requirement to meet and confer  
14 in good faith on all of these issues. We have spent way too  
15 much time on a protective order that is a form that, in the  
16 vast majority of cases, gets entered as stipulated.

17           MR. REDA: Yes, your Honor.

18           THE COURT: All right. Next issue, location of  
19 plaintiff's depositions.

20           MR. REDA: Yes, Judge.

21           THE COURT: Now, Mr. Matetsky, it's your turn to be in  
22 the hot seat. Why do you have to have these depositions  
23 conducted in New York? Why can't you have them conducted  
24 virtually or travel to France and do it?

25           MR. MATETSKY: Well, start with the last point, your



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1 Honor. I don't believe it's legally permissible for American  
2 lawyers to travel to France and take depositions. The French  
3 government frowns on American --

4 THE COURT: I've done it, so it's possible.

5 MR. REDA: Okay. I've been told by French lawyers,  
6 it's problematic.

7 THE COURT: It may be problematic, but those are  
8 problems that you can work through, because I have done it.

9 MR. MATETSKY: Is that merely by flying to France and  
10 doing it, or is that going through the Hague Convention?

11 THE COURT: I'm not going to give you legal advice --

12 MR. MATETSKY: Sure.

13 THE COURT: -- but it was not as difficult as it might  
14 seem. It was done. And, again, the Federal Rules of Civil  
15 Procedure here say that you should work -- and my individual  
16 practices say that if you can stipulate to a process and a  
17 location that you can agree is legal and valid and possible,  
18 then you should do that. But I will tell you, I have taken  
19 depositions in France. I had to depose a Swiss citizen. I did  
20 not do that in Switzerland.

21 MR. MATETSKY: Okay.

22 But let me return to the initial motion. There is a  
23 presumption, which your Honor is familiar with, and we cited a  
24 couple of cases in the joint letter, the plaintiffs decided to  
25 bring this case in New York. They could have brought the case

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1 in France. We know they have brought cases in France. So  
2 there's a presumption that plaintiffs should travel to the  
3 district. It is a rebuttable presumption, but it does exist,  
4 and that's the starting point.

5 THE COURT: Okay. All right.

6 But I also point you to Rule 30(b)(4), which also  
7 provides that the parties may stipulate, or the Court may, on  
8 motion, order that a deposition be taken by a remote means.

9 MR. MATETSKY: That is certainly true, depositions  
10 have been taken by remote means, and we're all certainly more  
11 familiar with the procedure for doing that now than we were a  
12 couple of years ago. But these depositions would be  
13 particularly difficult to take by remote means, and we believe  
14 that should be a last resort here. These plaintiffs have  
15 indicated they're going to have to testify through an  
16 interpreter.

17 THE COURT: I've done that in Paris with food  
18 poisoning. So what's your next issue?

19 MR. MATETSKY: If the Court is ordering food  
20 poisoning, I'm going to take it.

21 THE COURT: No, I'm not.

22 MR. MATETSKY: But we're speaking of the question of  
23 live versus remote, and then we can speak to the question --

24 THE COURT: Right.

25 MR. MATETSKY: -- of where, if it's live.

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1 Remote depositions are problematic here. This is a  
2 document-intensive case. We've all dealt with depositions. I  
3 don't know if your Honor has tried cases virtually, but it's  
4 cumbersome in a document-intensive --

5 THE COURT: I've done a document-heavy video  
6 deposition by videoconference about 20 years ago.

7 MR. MATETSKY: Probably not with a case involving an  
8 interpreter, though. And it's a last resort. I don't know  
9 whether your Honor was taking or defending that deposition --

10 THE COURT: Look, the reason why I'm talking about my  
11 past experience and my experience from 20 years ago is to tell  
12 you it can be done.

13 MR. MATETSKY: It can be done -- we're not disputing  
14 that.

15 THE COURT: So here's my ruling: You're to meet and  
16 confer and determine whether you would like to take an  
17 in-person deposition, either in Paris or some other location if  
18 Paris is not -- your clients are in Paris, Mr. Reda?

19 MR. REDA: Yes, Judge.

20 THE COURT: -- in Paris or another location if you  
21 want to do it in person -- meet and confer -- or if you want to  
22 take the deposition by remote means. I expect that you will  
23 work together to do this. I expect that you will work together  
24 and find some agreement. I do not expect there to be a holdup  
25 or an absolute refusal to do one or the other.

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1 MR. MATETSKY: So your Honor is directing that it is  
2 not going to direct they take place in person in New York?

3 THE COURT: Correct.

4 So, to the extent it's a motion to compel an in-person  
5 deposition in New York City of the plaintiffs, I am not going  
6 to require that. That part is denied.

7 You do have to get their depositions. You can choose  
8 whether you want to do it in person and go to Paris or  
9 somewhere else if Paris is not feasible for whatever reason, or  
10 whether you want to take it by remote means.

11 MR. MATETSKY: Would the Court direct that the  
12 plaintiffs undertake the cost of travel to Paris? Because the  
13 presumption is that the defendants come to New York, and if the  
14 Court is giving them an exception to that, which your Honor has  
15 discretion to do, we believe it should be at their expense.

16 THE COURT: Take a look at Rule 30. It was amended in  
17 2020. I'm not sure if it's going to be amended again as of  
18 December 1st of this year, but take a look at Rule 30, see what  
19 it says, do a little case law research, and figure it out, work  
20 it out amongst yourselves. My intention right now is not to  
21 shift costs.

22 MR. MATETSKY: I am familiar with that case law. My  
23 understanding is it's discretionary with the Court. We've  
24 heard what your Honor says.

25 THE COURT: Yes.

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1 Anything else at this time?

2 MR. MATETSKY: Only to ask whether you would want to  
3 set a control date for a follow-up conference? We could always  
4 cancel it if there's nothing to talk about.

5 THE COURT: Actually, why don't you file a joint  
6 letter letting me know what is happening with the deposition  
7 and when it is happening. I'll give you to November 10th for a  
8 joint status letter to figure out where and how deposition is  
9 happening.

10 MR. REDA: The deposition will either be remote or in  
11 Paris or someplace in France that's agreed upon?

12 THE COURT: Correct.

13 MR. REDA: All right.

14 THE COURT: But I really don't want to hear that it's,  
15 for example, someplace in France that's impossible for  
16 defendants to get to, after they have said that they elect to  
17 do it in person, okay?

18 MR. REDA: Yes, Judge.

19 THE COURT: You are to work together to make this as  
20 smooth and simple and cost effective a process as it can be.

21 MR. REDA: Yes, Judge.

22 MR. MATETSKY: We will meet and confer, we will talk  
23 to our client about their preference.

24 If France is difficult, another option I've sometimes  
25 seen is it's easier to take depositions in the U.K. than in

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1 France, and we might --

2 THE COURT: That is exactly where I deposed the Swiss  
3 citizen. So work together. Certainly, London is much more  
4 convenient than having to come to New York, but work together.  
5 So the two parts are in person or remote and location.

6 I hope not to hear more disputes.

7 What else is outstanding as far as discovery? Where  
8 are you as far as document discovery? I guess you haven't  
9 really started because we haven't entered the protective order?

10 MR. MATETSKY: No, respectfully, your Honor, we have  
11 started. Plaintiffs have produced documents. We're waiting  
12 for confirmation that their production is complete, and we  
13 served a second request to which the responses were due, I  
14 think, yesterday, so I'll ask Mr. Reda later where that stands.  
15 But defendants have produced significant documents that were  
16 not subject to the confidentiality issue. And if the Court  
17 enters the protective order this week, we'll be in a position  
18 to complete our production this month, to be followed by  
19 depositions with the discovery cutoff of February 28.

20 THE COURT: Okay.

21 So, I'll get a joint status letter on November 10th,  
22 and I'm also going to direct a joint status letter on  
23 December 16th that is generally about the status of discovery.

24 So, the December 16th letter will tell me what you've  
25 done to date, what you have coming up, what you have planned.

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1 If you have disputes that are brewing, maybe a little heads-up  
2 about them. If it makes sense for us to have a short  
3 conference so that I can just address the dispute before it  
4 becomes a big, big dispute, with a capital D, I'll be happy to  
5 do that.

6 Also, in the interim, I'm not inviting this, but I  
7 always make it available – look at my individual practices. If  
8 you have a dispute that arises between November 10th and  
9 December 16th that you've met and conferred on and that is  
10 holding up other things, and you need a quicker answer, take a  
11 look at my individual practices, you raise it preferably by  
12 jointly status letter. If you're unable to do that, then raise  
13 it in two separate letters, but I prefer a joint letter  
14 identifying the dispute, identifying the two positions, and how  
15 you haven't been able to work it out, and then I will try to  
16 address it as soon as I can, especially if it's holding up  
17 other discovery. All right?

18 MR. REDA: Yes, Judge.

19 THE COURT: Anything else at this time?

20 MR. MATETSKY: Let me just clarify, when we submit the  
21 protective order, did you want it with or without Judge  
22 McMahon's addendum?

23 THE COURT: I am fine for you to add Judge McMahon's  
24 addendum, maybe to just reference Judge McMahon's individual  
25 practices, so it's not confusing that it says the Court so

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1 ordering --

2 MR. MATETSKY: We'll clarify that. I think we've done  
3 that, but we'll double-check.

4 THE COURT: Okay. All right.

5 Anything else?

6 MR. REDA: No. Thank you, Judge.

7 THE COURT: Thank you, Mr. Reda.

8 MR. REDA: Thank you.

9 MR. MATETSKY: Thank you.

10 THE COURT: Thank you, Mr. Matetsky.

11 We are adjourned. I request that the parties order a  
12 copy of the transcript, share the cost 50/50.

13 Thank you.

14 MR. MATETSKY: We submit that to the Court?

15 THE COURT: You don't need to. Once you order it, it  
16 will be on the docket.

17 MR. MATETSKY: Very good.

18 THE COURT: Thanks.

19 \* \* \*